

Rec'd PCT/PTO 23 JAN 2002

Sim & McBurney

Patent and Trade-mark Agents

330 University Avenue
6th floor
Toronto, Canada
M5G 1R7

Telephone (416) 595-1155
Fax (416) 595-1163

MICHAEL I. STEWART
ROGER T. HUGHES, Q.C.
TONI POLSON ASHTON
JOHN H. WOODLEY
KENNETH D. MCKAY
TIMOTHY M. LOWMAN
STEPHEN M. LANE
ARTHUR B. RENAUD
STEPHEN J. PERRY
PATRICIA A. RAE
DAVID A. RUSTON
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URSULA M. MCGUINNESS
ROBERT C. LIANG
ELIZABETH VALENTINA
LESLEY M. MORRISON
GEOFFREY B.C. DE KLEINE

SENIOR CONSULTANTS
PETER W. MCBURNEY
BRENDA L. BOARDMAN

TECHNICAL ASSISTANTS
KIMBERLY A. MCMANUS, Ph.D.
KAMLEH J. NICOLA, B. Sc. LL.B.
WENDY M. NOSS, B.A., LL.B.
GREGORY W. BANKS, LL.B.
COBY A. B. SCHNEIDER, B.A., LL.B.

#3
with
Sees



Please Quote
Our ref. 1038-1176 MIS

our ref. -

Writer's Ext. 239

E-mail: mistewart@sim-mcburney.com

January 22, 2002

Via Courier

The Commissioner of Patents
and Trademarks
Box Missing Parts
Washington, DC 20231
U.S.A.

Dear sir:

RE: US Patent Application No. 09/914,205
Applicant: Charles D.Y. Sia
Title: EXPRESSING GP140 FRAGMENT OF
PRIMARY HIV-1 ISOLATE

In response to the Notification of Missing Requirements under 35 U.S.C. 371,
submitted herewith are:

1. Declaration signed by the inventors and referring to the PCT filing by
number and filing date.
2. ~~Cheque in the amount of the Surcharge fee~~
3. Copy of Notice

Petition is hereby made under the provisions of 37 CFR 1.136(a) for an extension of one
month of the period for response to the Notification of Missing Requirement. The enclosed
cheque includes the prescribed fee.

01/28/2002 UEDUVIJE 00000138 09914205

01 FC:154 130.00 OP
02 FC:115 110.00 OP

Yours very truly,

Michael I. Stewart
Reg. No. 24,973

M.I.Stewart/jb
Enclosure(s)



JC07 Rec'd PCT/PTO 23 JAN 2002 PCT#

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

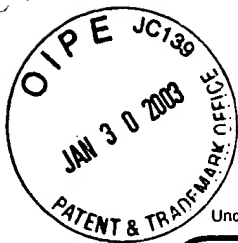
| | | | |
|--|----------------|------------------------|---------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application | 09/914,205 | |
| | Filing Date | | |
| | First Named | Charles D.Y. Sia | |
| | Group Art Unit | | |
| | Examiner Name | | |
| Total Number of Pages in This Submission | 8 | Attorney Docket Number | 1038-1176 MIS |

| ENCLOSURES (check all that apply) | | |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers (for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Response | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Convert a Provisional Application | <input type="checkbox"/> Status Letter |
| <input checked="" type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | <input type="checkbox"/> Covering Letter |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application | Remarks | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|--------------------------------------|
| Firm or Individual name | Michael I. Stewart (Reg. No. 24,973) |
| Signature | |
| Date | January 22, 2002 |

| CERTIFICATE OF MAILING | | | |
|---|--|------|--|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: <input type="text"/> | | | |
| Typed or printed name | | | |
| Signature | | Date | |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



DT20 Rec'd PCTO 30 JAN 2003 PCT \$

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)
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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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| | | | |
|--|----------------|--------------------------|---------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application | 09/914,205 | |
| | Filing Date | August 23, 2001 | |
| | First Named | Charles D. Y. Sia et al. | |
| | Group Art Unit | | |
| | Examiner Name | | |
| Total Number of Pages in This Submission | 49 | Attorney Docket Number | 1038-1176 MIS |

| ENCLOSURES (check all that apply) | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers (for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Response | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Convert a Provisional Application | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | RENEWED PETITION UNDER 37 CFR 1.47(a) |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | Remarks | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm or Individual name | MICHAEL I. STEWART REGISTRATION NO. 24,973 |
| Signature | |
| Date | JANUARY 29, 2003 |

| CERTIFICATE OF MAILING | | | |
|---|--|------|--|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: <input type="text"/> | | | |
| Typed or printed name | | | |
| Signature | | Date | |

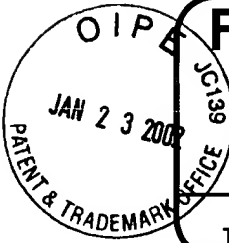
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Rec'd PCT/PTO 23 JAN 2002

PTO/SB/17 (XX-XX)

Approved for use through 10/31/2002. OMB 0651-0032
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known

| | |
|----------------------|------------------|
| Application Number | 09/914,205 |
| Filing Date | |
| First Named Inventor | Charles D.Y. Sia |
| Examiner Name | |
| Group Art Unit | |
| Attorney Docket No. | 1038-1176 MIS |

TOTAL AMOUNT OF PAYMENT **\$240.00**

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number
Deposit Account Name

- ☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR § 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity Fee Code | Small Entity Fee Code | Fee (\$) | Fee Description | Fee Paid |
|-----------------------|-----------------------|----------|------------------------|----------------------|
| 101 740 | 201 370 | | Utility filing fee | <input type="text"/> |
| 106 330 | 206 165 | | Design filing fee | <input type="text"/> |
| 107 510 | 207 255 | | Plant filing fee | <input type="text"/> |
| 108 740 | 208 370 | | Reissue filing fee | <input type="text"/> |
| 114 160 | 214 80 | | Provisional filing fee | <input type="text"/> |

SUBTOTAL (1)

2. EXTRA CLAIM FEES

| Total Claims | Extra Claims | Fee from below | Fee Paid |
|----------------------|------------------------------|------------------------|-----------------------------|
| <input type="text"/> | -20** = <input type="text"/> | X <input type="text"/> | = <input type="text"/> 0.00 |
| Independent Claims | -3** = <input type="text"/> | X <input type="text"/> | = <input type="text"/> 0.00 |
| Multiple Dependent | <input type="text"/> | = <input type="text"/> | |

| Large Entity Fee Code | Small Entity Fee Code | Fee (\$) | Fee Description |
|-----------------------|-----------------------|----------|--|
| 103 18 | 203 9 | | Claims in excess of 20 |
| 102 84 | 202 42 | | Independent claims in excess of 3 |
| 104 280 | 204 140 | | Multiple dependent claim, if not paid |
| 109 84 | 209 42 | | ** Reissue independent claims over original patent |
| 110 18 | 210 9 | | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) **\$0.00**

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Fee Code | Small Entity Fee Code | Fee (\$) | Fee Description | Fee Paid |
|-----------------------|-----------------------|----------|--|-----------------------------|
| 105 130 | 205 65 | | Surcharge - late filing fee or oath | <input type="text"/> 130.00 |
| 127 50 | 227 25 | | Surcharge - late provisional filing fee or cover sheet | <input type="text"/> |
| 139 130 | 139 130 | | Non - English specification | <input type="text"/> |
| 147 2,520 | 147 2,520 | | For filing a request for ex parte reexamination | <input type="text"/> |
| 112 920* | 112 920* | | Requesting publication of SIR prior to Examiner action | <input type="text"/> |
| 113 1,840* | 113 1,840* | | Requesting publication of SIR after Examiner action | <input type="text"/> |
| 115 110 | 215 55 | | Extension for reply within first month | <input type="text"/> 110.00 |
| 116 400 | 216 200 | | Extension for reply within second month | <input type="text"/> |
| 117 920 | 217 460 | | Extension for reply within third month | <input type="text"/> |
| 118 1,440 | 218 720 | | Extension for reply within fourth month | <input type="text"/> |
| 128 1,960 | 228 980 | | Extension for reply within fifth month | <input type="text"/> |
| 119 320 | 219 160 | | Notice of Appeal | <input type="text"/> |
| 120 320 | 220 160 | | Filing a brief in support of an appeal | <input type="text"/> |
| 121 280 | 221 140 | | Request for oral hearing | <input type="text"/> |
| 138 1,510 | 138 1,510 | | Petition to institute a public use proceeding | <input type="text"/> |
| 140 110 | 240 55 | | Petition to revive - unavoidable | <input type="text"/> |
| 141 1,280 | 241 640 | | Petition to revive - unintentional | <input type="text"/> |
| 142 1,280 | 242 640 | | Utility issue fee (or reissue) | <input type="text"/> |
| 143 460 | 243 230 | | Design issue fee | <input type="text"/> |
| 144 620 | 244 310 | | Plant issue fee | <input type="text"/> |
| 122 130 | 122 130 | | Petitions to the Commissioner | <input type="text"/> |
| 123 50 | 123 50 | | Processing fee under 37 CFR § 1.17(q) | <input type="text"/> |
| 126 180 | 126 180 | | Submission of Information Disclosure Statement | <input type="text"/> |
| 581 40 | 581 40 | | Recording each patent assignment per property (times number of properties) | <input type="text"/> |
| 146 740 | 246 370 | | Filing a submission after final rejection (37 CFR § 1.129(a)) | <input type="text"/> |
| 149 740 | 249 370 | | For each additional invention to be examined (37 CFR § 1.129(b)) | <input type="text"/> |
| 179 740 | 279 370 | | Request for Continued Examination (RCE) | <input type="text"/> |
| 169 900 | 169 900 | | Request for expedited examination of a design application | <input type="text"/> |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **\$240.00**

SUBMITTED BY

Name (Print/Type) **Michael I. Stewart**
Signature


Registration No. **24,973**
(Attorney/Agent)

Complete (if applicable)

Telephone **(416) 595-1155**
Date **January 22, 2002**

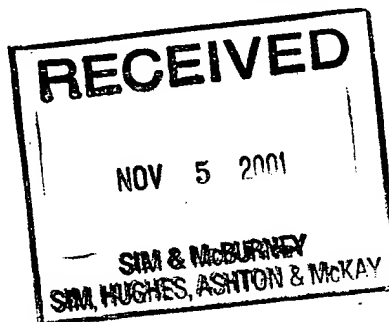
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| | | |
|--|--|--|
|  <small>Commissioner For Patents, Box PCT, United States Patent and Trademark Office, Washington, D.C. 20221, www.uspto.gov</small> | | |
|--|--|--|

| | | |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 09/914,205 | Charles D. Y. Sia | 1038-1176 MIS:JB |

24223
SIM & MCBURNEY
330 UNIVERSITY AVENUE
6TH FLOOR
TORONTO, ON M5G 1R7
CANADA



| | |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. | |
| PCT/CA00/00190 | |
| I.A. FILING DATE | PRIORITY DATE |
| 02/24/2000 | 02/24/1999 |

CONFIRMATION NO. 1791
371 FORMALITIES LETTER



OC000000006939369

Date Mailed: 10/23/2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

PAULETTE R KIDWELL

Telephone: (703) 305-3656

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 09/914,205 | PCT/CA00/00190 | 1038-1176 MIS:JB |